

**AMENDMENTS TO THE CLAIMS**

1. (Second amendment) A network failover transition system for a plurality of ports communicating over a VLAN comprising:  
  
a first switch having a master mode and a standby mode, said first switch running only a layer 2 protocol and configured to provide switching between said ports, while in said master mode;  
  
a second switch having a master mode and a standby mode, said second switch running only a layer 2 protocol and configured to provide switching between said ports while in said master mode, wherein said second switch is in said standby mode when said first switch is in said master mode, and said second switch is in said master mode when said first switch is in said standby mode;  
  
wherein said first switch is configured, upon a detection of a network failure, to restart auto-negotiation of said ports, and to transition to said standby mode; and wherein said second switch is configured, upon said detection of a network failure, to transition to said master mode; and  
  
wherein at least one of said ports flushes a layer 2 forwarding database and rebroadcasts for a new path.
2. (Original) The network failover transition system of claim 1, wherein said VLAN is part of an Ethernet network.
3. (Previously amended) The network fail over transition system of claim 2, wherein said VLAN utilizes a router protocol adaptable to utilizing said first switch and said second switch, said router protocol further comprising a set of mechanisms to effectuate said transition of said first switch to standby mode.

4. (Original) The network fail over transition system of claim 3, wherein said first and second switches are Layer 2 switches.
5. (Original) The network fail over transition system of claim 4, wherein said ports are Layer 3 devices.
6. (Original) The network failover transition system of claim 1, wherein at least one of said ports utilizes Address Resolution Protocol.
7. (Original) The network failover transition system of claim 1, wherein all of said ports utilize Address Resolution Protocol.
8. (Original) The network failover transition system of claim 1, wherein said network failure is detected using ping track.
9. (Original) The network failover transition system of claim 1, wherein said network failure is detected using port track.
10. (Currently amended) A method of failover transitioning a VLAN with a plurality of ports comprising:  
establishing a first switch having a master mode and a standby mode as a master switch, said first switch running only a layer 2 protocol;  
configuring said master switch to provide switching between said ports.  
establishing a second switch having a master mode and a standby mode as a standby switch, said second switch running only a layer 2 protocol;  
detecting a communication failure on said VLAN;  
restarting auto-negotiation of said ports with said master switch;  
flushing a layer 2 forwarding database from at least one of said ports and rebroadcasting for a new path;

transitioning said first switch to standby mode, whereby said first switch becomes said standby switch; and

transitioning said second switch to master mode, whereby said second switch becomes said master switch.

11. (Original) The method of failover transitioning a VLAN of claim 10, wherein said VLAN is part of an Ethernet Network.

12. (Currently amended) The method of failover transitioning a VLAN of claim 11, wherein said VLAN utilizes a router protocol adaptable to utilizing said first switch and said second switch, said router protocol further comprising a set of mechanisms to effectuate said transition of said first switch to standby mode.

13. (Original) The method of failover transitioning a VLAN of claim 12, wherein said first and second switches are Layer 2 switches.

14. (Original) The method of failover transitioning a VLAN of claim 13, wherein said ports are Layer 3 devices.

15. (Original) The method of failover transitioning a VLAN of claim 10, wherein at least one of said ports utilizes Address Resolution Protocol.

16. (Original) The method of failover transitioning a VLAN of claim 10, wherein all of said ports utilize Address Resolution Protocol.

17. (Original) The method of failover transitioning a VLAN of claim 10, wherein said detecting step comprises using ping track.

18. (Original) The method of failover transitioning a VLAN of claim 10, wherein said detecting step comprises using port track.

19. (New claim) The network failover transition system of claim 1, further comprising a third switch having a master mode and a standby mode, said third switch

configured to provide switching between a second set of ports while in said master mode,  
wherein said second switch is in said master mode when said third switch is in said standby  
mode, and said second switch is in said standby mode when said third switch is in said master  
mode.